



**San Francisco Bay
Restoration Authority**

Resolution No.19

**AUTHORIZATION TO ENTER INTO JOINT POWERS AGREEMENT WITH STATE
COASTAL CONSERVANCY AND ASSOCIATION OF BAY AREA GOVERNMENTS**

WHEREAS, in 2008, the State established the San Francisco Bay Restoration Authority (the “Authority”) for the purpose of assisting in the restoration, enhancement, protection and enjoyment of the wetlands and wildlife in the San Francisco Bay and shoreline, including raising funds for programs that would protect and restore the Bay;

WHEREAS, the Authority is a regional governmental entity comprising the nine counties that touch the San Francisco Bay: the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano and Sonoma, and the City and County of San Francisco (such nine counties, collectively, the “San Francisco Bay Area”) (hereafter, all references to “county” or “counties” include the City and County of San Francisco);

WHEREAS, the Authority placed the San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Measure (“Measure AA”) on the June 7, 2016 election ballot in each of the nine counties of the San Francisco Bay Area to levy a special parcel tax of twelve dollars (\$12) per year for twenty (20) years on each parcel wholly or partially in the San Francisco Bay Area to fund the programs identified in the measure;

WHEREAS, the Authority, the State Coastal Conservancy (“Conservancy”) and the Association of Bay Area Governments (“ABAG”) desire to reduce redundancy and increase efficiency by jointly carrying out their common grant-making powers in the expenditure of Measure AA funds;

WHEREAS, the Conservancy and ABAG have authorized entry into a joint powers agreement between the Conservancy, ABAG and the Authority to provide for the Conservancy and ABAG to perform staff functions for the Authority.

**NOW THEREFORE, THE SAN FRANCISCO BAY RESTORATION AUTHORITY
GOVERNING BOARD HEREBY RESOLVES, DETERMINES AND ORDERS AS
FOLLOWS:**

Section 1. Authorization to Enter into Joint Powers Agreement.

The Authority hereby authorizes the Chair to enter into a joint powers agreement with the Conservancy and ABAG through execution of the Joint Powers Agreement attached hereto as Attachment A.

Section 2. Waiver of Attorney Conflicts of Interest.

The Authority has been fully informed in writing about its attorneys' responsibilities in avoiding the representation of adverse interests without the consent of their clients, understands the potential for its legal interests and practical interests to be adverse to those of the Conservancy and ABAG as described, and consents to the potential conflicts of interest raised by Conservancy staff attorneys providing legal advice to the Authority pursuant to the joint powers agreement.

PASSED AND ADOPTED by the Governing Board of the San Francisco Bay Restoration Authority at its meeting on October 12, 2016, by the following vote:

AYES: Governing Board Members Bacon, Caldwell, Pine, Gioia, Sutter,

NOES: Governing Board Members Showalter

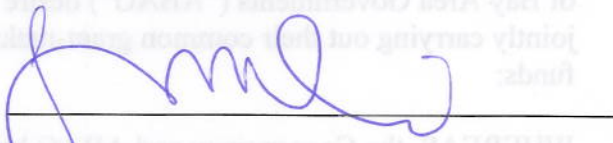
ABSENT: Governing Board Members Wicker.

ABSTAIN: Governing Board Members N/A



Dave Pine, Chair

I, Kelly Malinowski, Clerk of the Governing Board of the San Francisco Bay Restoration Authority, do hereby certify that the foregoing is a true and correct copy of the Resolution adopted by the Governing Board of the San Francisco Bay Restoration Authority at its meeting of October 12, 2016, which Resolution is on file in the office of this regional governmental entity.



Kelly Malinowski, Clerk